

# The Gazette of India

## EXTRAORDINARY PART II—Section 3 PUBLISHED BY AUTHORITY

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No. 116] NEW DELHI, FRIDAY, APRIL 15, 1955

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### MINISTRY OF COMMERCE AND INDUSTRY NOTIFICATION

*New Delhi, the 15th April, 1955*

**S.R.O. 836.**—In exercise of the powers conferred by clause (b) of sub-section 2 of section 6 of the Forward Contracts (Regulation) Act, 1952 (LXXIV of 1952) read with article 51 of the Article of Association of the East India Cotton Association Limited, Bombay, the Central Government hereby directs that the following amendment shall be made in the Government of India, Ministry of Commerce and Industry Notification No. S.R.O. 3493, dated the 1st December 1954, namely:—

In the said Notification, for entry (a) the following entry shall be substituted, namely:—

“(a) Shri V. N. Sardesai, I.C.S., Secretary to the Government of Bombay, Agriculture and Forests Department, Bombay”.

[No. 30/5/54-IP(B).]

L. K. JHA, Joint Secy.

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*New Delhi, the 15th April, 1955*

**S.R.O. 837.**—In exercise of the powers conferred by sub-section (1) of section 12 of the Forward Contracts (Regulation) Act, 1952 (LXXIV of 1952), read with S.R.O. 2618, dated the 30th July, 1954, the Secretary, Forward Markets Commission, hereby directs that the following amendments shall be made in the Bye-laws of the Bombay Oilseeds Exchange, Limited, Bombay, namely:—

1. For the existing Bye-law 120, the following shall be substituted, namely:—

“120(a) Hedge contracts between members shall be in writing, but a memorandum relating to such contracts made in the books, maintained by members and initialled by the respective parties or their representatives in such books, shall satisfy the requirements as to writing. When such contracts are otherwise reduced to writing, they shall contain a provision that they are subject to these Bye-laws or words to a similar effect. Members are recommended to use one or other of the appropriate forms given in the Appendix to these bye-laws.

(b) Hedge contracts between members acting as commission agents on the one hand and their constituents on the other shall also be in writing and shall contain a provision that they are subject to these Bye-laws or words to a similar effect. Members are recommended the use of the Form given on pages 65 and 66 of the Bye-laws of the Exchange in the Appendix. Before entering into such contracts, members should however obtain a statement in writing from their constituent that he is not a partner in any member firm. Non-compliance with this requirement shall not render the contract void or illegal but shall render the member liable to action under Bye-laws 311 and 312.”

2. In Bye-law 132, for the words "every alternate Wednesday" the words: "every Wednesday" shall be substituted, and after the Bye-law the following paragraph shall be inserted, namely,

"Provided that until such date as the Board may fix in this behalf in consultation with the Forward Market Commission, such fixing of clearing rates shall be done every alternate Wednesday."

3. In Bye-law 243, for the words "every alternate Wednesday" the words: "every Wednesday" shall be substituted, and after the Bye-law the following paragraph shall be inserted, namely,

"Provided that until such date as the Board may fix in this behalf in consultation with the Forward Markets Commission, such fixing of settlement rates shall be done every alternate Wednesday".

4. For the existing Bye-law 296, the following shall be substituted, namely:—  
 "296. Every member of the Exchange shall, on each Inward Payment Day and not later than the time specified in the Clearing House Notice under bye-law 252 for payment in of debit balances under the Balance Sheets pay into the margin settlement account of the Exchange with the Bank of Baroda Ltd. a deposit, by way of margin, not carrying interest, on the net open position in respect of hedge contracts entered into by the member during the working days for the period for which settlement rates are fixed under By-law 132 for such settlement. The said margin, calculated as follows shall be payable on the highest net open position as at the close of business on any of the said working days :—

On the 1st 15,000 Candies at the rate of Rs. nil per candy.

On the next 10,000 Candies at the rate of Re. 1/- per candy.

On the next 10,000 Candies at the rate of Rs. 2/- per candy.

On the 10,000 at the rate of Rs. 3/- per candy.

On all Candies in excess of 45,000 Candies at the rate of Rs. 4/- per candy.

Provided however that it shall be permissible to any such member to set off the whole or any part of such deposit by way of margin against any amount due to such member under the Balance Sheet sent in by him in respect of such settlement; provided further that in respect of any deposit made by a member under this By-law on the previous Inward Payment Day, it shall be permissible to such member to adjust the same or any part thereof in the Balance Sheet sent in by him in respect of any subsequent settlement.

Provided further that such margins shall be payable only on such transactions as are outstanding on 1st June 1955, and on transactions effected on and after the said date".

And in pursuance of the powers conferred by the proviso to Sub-Section (4) of the said Section, the Secretary, Forward Markets Commission, hereby directs that the condition of previous publication of the amendments in the Gazette of India and the Bombay Government Gazette be dispensed with in the interest of the trade.

[No. 5-CAS/2/54/FMC.]

M. A. MULKY, Secy.

Forward Markets Commission.

[30/5/54-I.P.(B).]

L. K. JHA, Joint Secy.